

borne on the label aforesaid, regarding the article and the ingredients and substances contained therein, to wit, "Soluble Saccharine Soluble in Cold Water Quality Guaranteed," was false and misleading, the true nature of the contents of the can or container being as hereinbefore alleged, and said article was an imitation of, and was offered for sale under the name of, another article, to wit, saccharin, which said article is well known in trade and commerce and the science of food chemistry, and signifies a white crystalline compound derived from toluene, a constituent of coal tar.

On June 28, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**6836. Misbranding of Hall's Canker and Diphtheria Remedy. U. S. * * *
v. 5 Dozen Bottles of Hall's Canker and Diphtheria Remedy. De-
fault decree of condemnation, forfeiture, and destruction. (F. & D.
No. 9340. I. S. No. 2479-r. S. No. W-245.)**

On September 21, 1918, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 dozen bottles of Hall's Canker and Diphtheria Remedy, remaining unsold in the original unbroken packages at Portland, Ore., alleging that the article had been shipped on or about August 19, 1918, by Selena D. Hall, Salt Lake City, Utah, and transported from the State of Utah into the State of Oregon, and charging misbranding in violation of the Food and Drugs Act, as amended.

The article was labeled in part: "Hall's Diphtheria Remedy, an infallible remedy for Diphtheria. When Diarrhoea is caused by Canker, as in a majority of cases it is, Hall's Canker Remedy will not fail to give Relief. Hall's Canker Remedy Prevents Diphtheria. Diphtheria usually commences with sneezing, stiff neck, unusual inclination to sleep, redness of the face, eyes moist and red or with sore throat, with uneasy stinging sensation therein, attended by bad breath and vomitings. Patches of a dirty wash-leather color may be seen inside the throat, and, as experience has proven, the disease is then liable, if not arrested, to terminate fatally in a short time. Now, if, when you see these symptoms you will use Hall's Diphtheria Remedy according to directions, it will relieve you. Putrid sore throat yields readily to this remedy. Dr. Sam'l Thompson announced to the world that in smallpox, measles and canker-rash he found 'a mirror in which we may see the nature of every other disease.' Thompson says: 'I had the smallpox in 1798 and examined its symptoms with all the skill I was capable of, to ascertain the nature of the disease, and found that it was the highest stage of canker and putrefaction that the human system is capable of receiving; measles the next and canker-rash the third, canker being the first effect of all disease; that other disorders partake more or less of the same, which I am satisfied is a key to the whole; and by knowing how to remedy this we may learn how to remedy all other cases, as the same means that will put out a large fire will extinguish a candle.' Make no mistake. Be sure to get Hall's Medicines for Canker and Diphtheria. * * * We cannot say too much in behalf of Hall's Canker and Diphtheria Medicine. Having witnessed its truly marvelous effects in many dangerous cases in our own family, we would not be without it. It has an excellent name. We had two children down with diphtheria at the same time. It was stopped in one night; the sores or scales were removed next morning with a spoon handle, and two days after my children were as well as ever. If any question this testimony they can consult us on the matter. February 5, 1881. * * *"

It was alleged in substance in the libel that the article was misbranded for the reason that the statements, design, and device borne on the labeling of the bottles, regarding the curative and therapeutic effect of said drugs, ingredients, and substances contained therein, were false and fraudulent in that the article contained no ingredients or combination of ingredients capable of producing the curative and remedial therapeutic effects claimed for it upon said label and wrapper.

On December 4, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6837. Adulteration and misbranding of pepper. U. S. * * * v. Dwight Edwards Co., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 9341. I. S. No. 16130-p.)

On November 25, 1918, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Dwight Edwards Co., a corporation, Portland, Oreg., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about June 30, 1917, from the State of Oregon into the State of Washington, of a quantity of pepper which was adulterated and misbranded. The article was labeled "Pepper Dwight Edwards Company, Portland, Ore.," and bore a sticker reading "Adulterated with Pymia."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results: Microscopical examination and Jumeau's reagent showed the presence of at least 25 per cent (probably more) of ground olive stones, together with pepper tissues.

Adulteration of the article was alleged in the information for the reason that a substance other than pepper, to wit, ground olive pits, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted wholly or in part for pepper, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement borne on the label, to wit, "Pepper Adulterated with Pymia," was false and misleading, in that it represented to purchasers thereof that the article was a pepper adulterated with some substance known as pymia, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a mixture of pepper and a substance known as pymia, whereas, in truth and in fact, it consisted of a mixture of pepper and ground olive pits. Misbranding of the article was alleged for the further reason that it was food in package form, and the packages failed to bear a statement on the label thereof of the quantity of their contents in terms of weight, measure, or numerical count.

On December 5, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6838. Adulteration and misbranding of olive oil. U. S. * * * v. John D. Stephanides and Vassilia Touris (S. A. Touris). Plea of guilty. Fine, \$200. (F. & D. No. 9342. I. S. No. 3044-p.)

On December 24, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against